Dated: 01-31-04

Docket No.: 01946/100B035-USD

(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Andrea Leone-Bay et al.

Application No.: 10/623,142

Filed: July 18, 2003

For: COMPOUNDS AND COMPOSITIONS FOR

DELIVERING ACTIVE AGENTS

Confirmation No.: 5198

Art Unit: 1615

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the attached Notice to File Missing Parts of Application mailed October 21, 2003, Applicant respectfully submits the filing fee for this application, a late filing fee surcharge, a fee to cover additional claims, and Petition for One Month Extension of Time.

Applicants also submit herewith a Preliminary Amendment. The additional claim fee is based on the claims as submitted in this Preliminary Amendment, pursuant to MPEP § 607.

Docket No.: 01946/100B035-USD

Application No.: 10/623,142

Our check in the amount of \$1,622.00 covering the above fees is enclosed. The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 04-0100.

2

Dated: January 21, 2004

Respectfully submitted,

Jason C. Chumney

Registration No.) 54,781

DARBY & DARBY P.C.

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(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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	Application Number	10/623,142
TRANSMITTAL	Filing Date	July 18, 2003
FORM	First Named Inventor	Andrea Leone-Bay et al.
	Art Unit	4045

1615 (to be used for all correspondence after initial filing) Examiner Name Not Yet Assigned Attorney Docket Number 1 01946/100B035-USD Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)							
X Fee Transmittal Form	Drawing(s)	After Allowance Communication to Group					
Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences					
X Amendment/Reply	Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After Final	Petition to Convert to a Provisional Application	Proprietary Information					
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter					
x Extension of Time Request Terminal Disclaimer		X Other Enclosure(s) (please identify below):					
Express Abandonment Request	Request for Refund	Filing Fee for the Application (as shown on accompanying Fee					
Information Disclosure Statement	CD, Number of CD(s)	Transmittal) Part 2 Copy of Notice					
Certified Copy of Priority Document(s)							
Response to Missing Parts/ Incomplete Application	Remarks						
X Response to Missing Parts under 37 CFR 1.52 or 1.53							
ander or or K 1.32 or 1.33							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm DARBY & DARBY F							
Individual name							
Signature							
Date January 21, 2004							

Express Mail Label No. Dated:	01-21-04	



Application No. (if known): 10/623,142

Attorney Docket No.: 01946/100B035-USD

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

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on January 21, 2004 Date

PATRICIA A. RUBIO

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal for FY 2004 (1 page);

Transmittal Form (1 page);

Response to Notice To File Missing Parts (2 pages); Copy of the Notice to File Missing Parts (2 page);

Preliminary Amendment (9 pages);

Petition for Extension of Time Under 37 CFR 1.136(a)(1 page);

Postcard; and

Check No. 3946 for 1,622.00

01-26-04.

F10/3B/17 (10-03
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FEE TRANSMITTAL	.	Applio	ation	Numbe	40/00	23,142	
for EV 2004	Ī	Filing				18, 2003	
for FY 2004	1		Vameo	Inver	tor Andre	ea Leone-Bay et	al.
Effective 10/01/2003, Patent fees are subject to annual revision.		Exam	iner Na	me	Not Y	et Assigned	
Applicant claims small entity status. See 37 CFR 1.27		Art Ur	nit		1615	i	
TOTAL AMOUNT OF PAYMENT (\$) 1622.00	\neg		ey Do	ket No	0194	6/100B035-USD	
METHOD OF PAYMENT (check all that apply)	П			FEE	CALCULATIO	N (continued)	
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Deposit Account 04-0100	Large Fee	Entity	Small Fee	Entity Fee	•		
Account 04-0100 Number	Code	(\$)	Code	(\$)	Fee	Description	Fee Paid
Deposit Account Darby & Darby P.C.	1051	130	2051	65	Surcharge – late fil	ling fee or oath	130.00
Name [he Director Is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late p sheet.	rovisional filing fee or c	over
Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specif	fication	
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filing a request f	for ex parte reexamination	n
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to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication	ation of SIR after	
FEE CALCULATION	1251	110	2251	55	Extension for reply	within first month	110.00
. BASIC FILING FEE	1252	420	2252	210	Extension for reply	within second month	
arge Entity Small Entity	1253	950	2253	475	Extension for reply	within third month	
Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply	within fourth month	
001 770 2001 385 Utility filing fee 770.00	1255	2,010	2255	1,005	Extension for reply	within fifth month	
002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal		
003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in sup	port of an appeal	
004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral he	earing	
005 160 2005 80 Provisional filing fee	1451	1,510	1451			a public use proceeding	ıg
SUBTOTAL (1) (\$) 770.00	1452	110	2452	55	Petition to revive -		
	1453	1,330	2453		Petition to revive -		
EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from	1501	1,330	2501		Utility issue fee (or	reissue)	
Claims below Fee Paid	1502	480	2502		Design issue fee		
otal Claims 54 -20** = 34 x 18 = 612.00	1503	640	2503		Plant issue fee		
dependent 1 -3** = x = 0.00	1460	130	1460	130	Petitions to the Co	•	
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arge Entity Small Entity	1806	180	1806	180		rmation Disclosure Str	nt
Fee Fee Fee Fee Fee Description	8021	40	8021	40		etent assignment per mber of properties)	
202 18 2202 9 Claims in excess of 20	1809	770	2809	385		n after final rejection	
201 86 2201 43 Independent claims in excess of 3	1810	770	2810	385	For each additiona	I invention to be	
1203 290 2203 145 Multiple dependent claim, if not paid 1204 86 2204 43 ** Reissue independent claims	1801	770	2801		examined (37CFR	. 1.129(b)) nued Examination (RCE	.
204 86 2204 43 ** Reissue independent claims over original patent	1		1	385	Request for exped	•	·
205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	of a design applica		
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**or number previously paid, if greater; For Reissues, see above	*Redu	ced by 8	Basic Fi	ing Fee	Paid SU	JBTOTAL (3) (\$)	240.00
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SUBMITTED BY	Reaistr	ation No). Te 4	704		nplete (if applicable))	700
Name (Print/Type) Jason C. Chumney		ey/Agent)		,781	 	phone (212) 527-7	
Signature . Joseph Lum				_	Date	January 21,	2004

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